

**March 31, 2011 Minutes of
Bigfork Land Use Advisory Committee
Bethany Lutheran Church**

Committee members present: Paul Guerrant, Shelley Gonzales, Gary Ridderhoff, Joyce Mitchell, John Righetti, Dave Russell and 10 members of the public.

Chairman Guerrant called the meeting to order at 4:00 p.m.

The agenda was adopted as presented (m/sc Righetti/Russell)-unanimous.

Minutes of the February 24, 2011 meeting were approved. (m/sc Gonzales/Ridderhoff)

ADMINISTRATOR'S REPORT:

A. Sign-in Sheet: Reminder to the public of the availability of BLUAC minutes through email and BSC website bigforksteering.org/. Agendas are posted on the Flathead County Planning Office website flathead.mt.gov/

B. 2011 Election: BLUAC was notified there would be no election in May due to only three petitioners. Secretary will prepare Public Notice for one remaining position to be filled in May.

C. Swan Peak Homestead (FPPUD-10-01): Gonzales reported on the Planning Board hearing of the application. Minutes of the PB meeting were distributed to members. The Preliminary Plat was recommended for approval.

D. Next meeting April 28, 2011

APPLICATIONS:

A. John Venteicher (FZC-11-01): A Zone Change request in the Bigfork Zoning District by John Venteicher. The proposal would change the zoning on 16 acres from SAG-10 and SAG-5 (Suburban Agricultural) to entirely SAG-5, (Suburban Agricultural). The property is located at 50 Evenson Lane.

STAFF: Allison Mouch passed out printouts of the application boundaries, noting the location west of Swan River Road. This is part of the original Evenson Subdivision. The Planning Office has received no agency comments regarding the application. There was one person who stopped by the office to ask questions.

Mitchell: Is the applicant the sole owner of the property? **A:** Yes. Under Item G, Page 2, explain "clean-up of unusual boundary line. **A)** The applicant was referring to the zoning boundary lines between SAG-10 and SAG-5.

Applicant: Not present.

Public Comment:

Kathy Tiehn: We live at the end of Evansen Lane, 470 Swan River Road. Our concern is regarding road maintenance. We currently maintain the road and are concerned about additional impact on the road. We're also concerned about John's motivation. This property is for sale. I think his arguments are weak and more of a monetary advantage to him to split the property. We have been there 27 years and are concerned about future subdividing.

BLUAC:

Gonzales: Is Evanson Lane a private road? **A)** Yes. On a private road, it might be helpful to have a road maintenance agreement. **A) Tiehn:** We do have a road maintenance agreement but no one helps with the expenses. I'm worried he can break up this property 3 times. **A) Gonzales:** Each parcel cannot be less than 5 acres.

Russell: Swan Hill District is limited to 10 acres. The problem here is that this property adjoins SAG 5 zoning.

Tiehn: What would be the benefit to the area? What is your criteria in making a decision?

Guerrant: Flathead County has criteria to follow in reviewing all applications.

Righetti: Can we recommend, if he subdivides, a condition for a road maintenance agreement? **A) Mouch:** In subdivision review, those issues are addressed.

Public Agencies: None

BLUAC:

Mitchell: This application is showing the property in the Evanson Subdivision. We did not receive copies of the subdivision files. **A) Mouch:** I reviewed the subdivision files and did not find any CCR's in the documents.

Gonzales moved to recommend approval of the application including staff report Findings of Fact and Conditions. Righetti seconded the motion. Approval was unanimous.

The Flathead County Planning Board will review this application on April 13, 2011, 6:00 p.m. at Earl Bennett Building, 1035 1st Avenue West, Kalispell, MT.

B. Saddlehorn #11 (FPP-10-03) A request by Saddlehorn, LLC for Preliminary Plat approval of Saddlehorn #11, a 20 lot single-family residential subdivision on 80.61 acres proposed to connect to a public water and sewer system. Located approximately 1 mile southeast of Bigfork, the properties are accessed from MT Highways 209 and 35.

STAFF:

Alex Hogle: The application includes approximately 80 acres in a previously approved subdivision. The PUD allows 96 units to be developed. The applicant wishes to convert 20 duplex-type units and redistribute those single-family units within the subdivision. There are three types of units approved for the subdivision: 1) Multi-family/duplex units; 2) Cabin-single family; 3) Camp-single family. The applicant does not want to move forward with current attached units. Their intention is not to add additional units but disburse the 20 single units within the subdivision. They will extend Buckaroo Trail to serve additional lots and will allow connection to sewer and water services. The road extension of approx. 400 to 700 feet would be the approved 20' feet in width (18' paved with 1' shoulders) which comply with county regulations.

Public Agencies:

Bigfork Fire District is concerned about a few matters included in the staff report. They are questioning water capacity sufficiency for fire suppression.

BLUAC:

Ridderhoff: We had an application last month where the subdivision was not required to have additional water storage because they would be installing sprinkler systems. What's the difference with this subdivision? **A)**

Hogle: The difference is the application last month was for a PUD. This is a zoning/subdivision issue and not the same type of review. We do require applicants to work with the Fire Districts and have a letter of agreement from the Fire District.

Ridderhoff: Our concern then is if there is sufficient water capacity? **A) Hogle:** Correct. Fire concerns include ingress/egress, land use management, access to services and water capacity. Staff feels they have adequate flow (1,000 gal. per minute) plus storage capacity of 180,000 gallons on site.

Russell: Is the water service line adequate in size? **A) Hogle:** Saddlehorn has approval for all improvements to be installed. Final Plat requires a letter stating improvements meet approval of agencies. We added Condition # 20 in that regard.

Guerrant: The Fire Chief indicates the roads are not wide enough. Wasn't the time to question that during the PUD review? **A) Hogle:** The Fire Dept. also commented regarding the shoulder angles. PUD does not address angles. The County regulations are 4 to 1 rise over run. We did not concur with their concern.

Ridderhoff: What happens to the 20 townhouse sites? **A) Hogle:** The townhouse lots will become single-family lots. The application does not add any additional density. They will maintain the 96-unit density. On Page 5 of the Staff Report is a summary of changes. There will be a small change in the open area size.

Righetti: You mention soil inspections. Not all lots are listed and those mentioned seem to be in the same topography. **A) Hogle:** A few lots were steeper. I used the data provided to look at each lot, driveway angle and pad angle.

APPLICANT:

Mike Fraser: The subdivision was approved in 2006/2007 including the duplex units. Saddlehorn has found there is no market for the duplex units. The change in the Preliminary Plat is to change duplex units into single-family units. The road standard was approved in the Neighborhood Plan and in the PUD. The main road through the subdivision, Saddlehorn Trail, is designed at 24'. Secondary roads, such as Buckaroo Trail, were designed for 18' of paved surface with 1' shoulders, total of 20'. All approved in the PUD. The open area was not part of the PUD. There are approx. 115 acres in open area and this may change by a few acres as developed. This is not a high fire management area due to the fire management work done prior to development and is well managed. Hydrants are tested at 1,000 gpm up to 400'. An additional storage tank of 140,000 gallons is also available. Water services to residences are 1".

Jim Frizzell: There is the possibility of attached units if a buyer were to purchase two single-family lots. We needed something more marketable than the attached units.

Mitchell: What is the adjustment to the open area? **A) Frizzell:** Less than an acre.

Doug Averill: The original project was designed for a 1,000-gpm flow, which was approved, by DEQ and the Fire Dept. We have two storage tanks (140,000 gallon and 180,000 gallon). This has almost tripled Bigfork Fire Dept. fire fighting capacity. The Bigfork tank holds 100,000 gallons. The 1,000 gpm is our minimum. Some areas have higher capacity. We have changed our design guidelines to include a new type of sprinkler system. The new systems are hidden and work very well. As to the condition regarding Fire Dept. approval, we would like it to say driveway grades need to be at the county standard.

Mitchell: Do you feel there is a contradiction between County standards and the Fire Dept.? **A) Hogle:** The County does not have fire standards per se. The language is trying to be general to address all concerned.

Gonzales: Are we talking about Condition 20? **A) Hogle:** Correct. Also on Condition 23.k where lots are identified for approval by the Fire Chief per Section 4.7.7(g) FCSR. As to Finding of Fact #6, what has changed since original approval? **A) Averill:** It was probably missed and fire codes have changed. That's why we have recommended sprinkler systems for units over 3,600 sq. ft.

PUBLIC AGENCIES:

Julie Spencer-Bigfork Water & Sewer District: Today we signed the final documents with Saddlehorn. We will be able to write a Will Serve Letter. Since we have no Building Inspection Dept. we have to look in the future at issues of pressure for larger homes. We do have one subdivision in our district that requires sprinklers but there is no agency to inspect installations.

PUBLIC COMMENT

Craig Wagner: This is a well-designed project. If it's going to be done right, Averill will do it.

Mahlon Randall: I live in Ranch Estates and our water district is adjacent to Saddlehorn. We ended up partnering with Saddlehorn to install a larger tank for fire suppression. The project has not been without problems but on the whole, excellently done.

BLUAC:

Gonzales: I feel there needs to be quantifiable language. I would like to see tighter wording.

Righetti: Move to recommend approval with Staff Report conditions and Findings of Fact. Second Russell. Motion passed unanimously.

The Flathead County Planning Board will review this application on April 13, 2011, 6:00 p.m. at Earl Bennett Building, 1035 1st Avenue West, Kalispell, MT.

OLD BUSINESS: None

NEW BUSINESS: None

PUBLIC COMMENT:

None

Guerrant: For the record, we have received notification for an Application for Transfer of Location for Montana All-Alcoholic Beverages License No. 07-999-2652-001, BFG, Inc. Jason J. Hagen and Joel E. Hagen, GRILLE 459, 475 Electric Avenue, Units 3,4, & 5.

General committee discussion regarding the positions open for 2011-12: Secretary will post 30- day notice for a 1-year appointment for open BLUAC position in April and MAL in May.

Meeting was adjourned at 5:59 p.m.

Sue Hanson
BLUAC Secretary